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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Christopher J. Poux, Wayne J. Staab, Geary A. McCandless,  
Walter P. Sijursen, Frederick J. Fritz, Thomas J. Squeglia,  
Gerald R. Iannelli, Richard M. Moroney III, Jennifer L. Semanchik,  
Sterling E. McBride, Randall R. Tucker, Reuben Q. Zielinski,  
John G. Aceti and Frederick Kelmer, Jr.

Application No.: 09/808,099

Group: 2644

Filed: March 13, 2001

Examiner: N/A

For: Hearing Aid Format Selector

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>5/30/01</u>	<u>Eileen M. Woodbury</u>
Date	Signature
<u>Eileen M. Woodbury</u>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated April 23, 2001, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☒ **EXECUTED DECLARATION/POWER OF ATTORNEY**

*(Separate transmittal letter and postcard not required)*

☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.

*(Separate transmittal letter and postcard not required)*

☒ **SURCHARGE** - surcharge fee of \$130.

*(Separate transmittal letter and postcard not required)*

☐ **SEQUENCE LISTING** - Filed concurrently and is attached.

*(Separate transmittal letter and postcard required)*

☒ **TRANSMITTAL OF FORMAL DRAWINGS**

☒ Sheets of formal drawings consisting of Figs. 1 - 21 are enclosed.

*(Separate transmittal letter and postcard not required)*

☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [ ] for [ ] month(s) from [ ] to [ ].

The appropriate fee of \$[ ] is included in the enclosed check.

☐ A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee.

☐ Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check.

*(Separate Petition for Extension of Time and postcard not required)*

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.

*(Separate transmittal letter and postcard required)*

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on [ ].

☐ Is enclosed herewith.

*(Separate transmittal letter and postcard not required)*

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[ ] which were paid on [ ] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$2320. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

Paul P. Kriz  
Paul P. Kriz

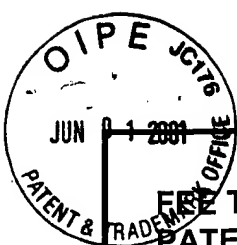
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Lexington, Massachusetts 02421-4799

Date: May 30, 2001



# HAMILTON BROOK, SMITH & REYNOLDS, P.C.

## FREE TRANSMITTAL FOR PATENT APPLICATIONS

Attorney Docket Number	2506.2013-001
Application Number	09/808,099
First Named Inventor	Christopher J. Poux

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	80 - 20* =	60	x \$ 18 =	\$ 1080
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	8 - 3** =	5	x \$ 80 =	\$ 400
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 270 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 710
				Total of above Calculations =	\$ 2190
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$
	TOTAL =				\$ 2190
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$ 130
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$
	Assignment Recordation Fee = (only when filed with application)				\$
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$ 2320

1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$2320. ☐ Please charge \$[ ] to Deposit Account No. 08-0380.

4. ☒ Other: Preliminary Amendment

Signature	<u>Paul P. Kriz</u>	Date	<u>May 30, 2001</u>
Submitted by Typed or Printed Name	Paul P. Kriz	Reg. Number	45,752



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/808,099	03/13/2001	Christopher J. Poux	2506.2013-001

CONFIRMATION NO. 3114

## FORMALITIES LETTER



Leo R. Reynolds, Esq.  
Hamilton, Brook, Smith & Reynolds, P.C.  
Two Militia Drive  
Lexington, MA 02421-4799

Date Mailed: 04/23/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1480.
  - \$1080 for 60 total claims over 20.
  - \$400 for 5 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2320.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

06/05/2001 MBENHE 00000051 09808099  
 710.00 OP  
 130.00 OP  
 1080.00 OP  
 400.00 OP  
 01 FC:101  
 02 FC:105  
 03 FC:107

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*A copy of this notice MUST be returned with the reply.*

*Sub CMI*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE